Because extradition is the exclusive process by which the U.S. may transfer Messrs. Omar and Munaf to the State of Iraq for Iraqi criminal proceedings, this Court should affirm the judgment in No. 07-394 and reverse the judgment in No. 06-1666.

Dated: February 26, 2008

Respectfully submitted,

Richard M. Zuckerman
SONNENSCHEIN NATH & ROSENTHAL LLP
1221 Avenue of the Americas
New York, New York 10020
(212) 398-5213
Counsel of Record for Amici Curiae

Paula M. Yost
Matt Marostica
Hillary Noll Kalay
Eva López-Paredes
Of Counsel

APPENDIX A

—

LIST OF *AMICI*

The following *amici* join in this brief.

William J. Aceves, Associate Dean for Academic Affairs and Professor of Law, California Western School of Law, San Diego, California.

M. Cherif Bassiouni, Distinguished Research Professor of Law, DePaul University College of Law, Chicago, Illinois; President, the International Human Rights Law Institute. Additional biographical information appears below.

Christopher L. Blakesley, Cobeaga Professor of Law, William S. Boyd School of Law, University of Nevada Las Vegas, Las Vegas, Nevada.

Bartram S. Brown, Professor of Law, Co-Director, Int'l and Comparative Law Program, Chicago-Kent College of Law, Illinois Institute of Technology, Chicago, Illinois.

Roger S. Clark, Board of Governors Professor, Rutgers University School of Law, Camden, New Jersey.

Nancy Combs, Associate Professor of Law, William & Mary School of Law, Williamsburg, Virginia.

David M. Crane, Former Founding Chief Prosecutor, Special Court for Sierra Leona;

Professor, Syracuse University School of Law, Syracuse, New York.

Daniel H. Derby, Professor and Director of International Programs, Touro College Jacob D. Fuchsberg Law Center, Central Islip, New York.

Mark A. Drumbl, Class of 1975 Alumni Professor, Director, Transnational Law Institute, Washington & Lee University, School of Law, Lexington, Virginia.

Valerie Epps, Professor of Law and Director of the International Law Concentration, Suffolk University Law School, Boston, Massachusetts.

Richard A. Falk, Albert G. Milbank Professor of International Law and Practice, Emeritus, Princeton University, Princeton New Jersey; Visiting Distinguished Professor, Global Studies, University of California - Santa Barbara.

Stephen H. Legomsky, Washington University School of Law, St. Louis, Missouri.

Bert Lockwood, Distinguished Service Professor, Director, Urban Morgan Institute for Human Rights, University of Cincinnati College of Law, Cincinnati, Ohio; Editor-in Chief, Human Rights Quarterly, Johns Hopkins University Press, 1982- ; Series Editor, Pennsylvania Studies in Human Rights, University of Pennsylvania Press, 1988-.

Linda A. Malone, Marshall-Wythe Foundation Professor of Law, Director, Human Rights and National Security Law Program, William and Mary Law School, Williamsburg, Virginia.

Stephen C. McCaffrey, Distinguished Professor and Scholar, University of the Pacific, McGeorge School of Law, Sacramento, California.

James A.R. Nafziger, Thomas B. Stoel Professor of Law, Willamette University College of Law, Salem, Oregon.

Ved Nanda, Vice Provost, Evans University Professor, Marsh Professor of Law Director, International Legal Studies Program, University of Denver, Sturm College of Law, Denver, Colorado.

Jordan J. Paust, Mike and Teresa Baker Law Center Professor, University of Houston Law Center, Houston, Texas.

John Quigley, President's Club Professor in Law, The Ohio State University, Columbus, Ohio.

Naomi Roht-Arriaza, Professor of Law, University of California, Hastings College of the Law, San Francisco, California.

Leila Nadya Sadat, Henry H. Oberschelp Professor of Law, Director, Whitney R. Harris World Law Institute, Washington University School of Law, St. Louis, Missouri.

Michael P. Scharf, Professor of Law and Director, Frederick K. Cox International Law Center,

Case Western Reserve University School of Law, Cleveland, Ohio.

Ron Slye, Associate Professor of Law and Director of International & Comparative Law Programs, Seattle University School of Law, Seattle, Washington; Honorary Professor, University of the Witwatersrand School of Law, Johannesburg, South Africa.

Johan D. van der Vyver, I.T. Cohen Professor of International Law and Human Rights, Emory University School of Law, Atlanta, Georgia.

Jon M. Van Dyke, Professor of Law, William S. Richardson School of Law, University of Hawaii at Manoa, Honolulu, Hawaii.

Richard J. Wilson, Professor of Law, Director, International Human Rights Law Clinic, American University, Washington College of Law, Washington, DC.

Jeanne M. Woods, Henry F. Bonura, Jr. Distinguished Professor of Law, Loyola University, New Orleans, Louisiana.

Additional Biographical Information

M. Cherif Bassiouni is also President of the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy, as well as the Honorary President of the International Association of Penal Law (President 1989-2004), based in Paris, France.

Professor Bassiouni has served the United Nations in a number of capacities, including as: Member and then Chairman of the Security Council's Commission to Investigate War Crimes in the Former Yugoslavia (1992-94); Commission on Human Rights' Independent Expert on The Rights to Restitution, Compensation and Rehabilitation for Victims of Grave Violations of Human Rights and Fundamental Freedoms (1998-2000); Vice-Chairman of the General Assembly's Ad Hoc Committee on the Establishment of an International Criminal Court (1995); and Chairman of the Drafting Committee of the 1998 Diplomatic Conference on the Establishment of an International Criminal Court. In 2004, he was appointed by the United Nations High Commissioner for Human Rights as the Independent Expert on the Situation of Human Rights in Afghanistan.

In 1999, Professor Bassiouni was nominated for the Nobel Peace Prize for his work in the field of international criminal justice and for his contribution to the creation of the International Criminal Court. He has received the following medals: Grand Cross of the Order of Merit (Commander), Federal Republic of Germany (2003); Legion d'Honneur (Officier), Republic of France (2003); Order of Lincoln of Illinois, United States of America (2001); Grand Cross of the Order of Merit, Republic of Austria (1990); Order of Sciences (First Class), Arab Republic of Egypt (1984); Order of Merit (Grand'Ufficiale), Republic of Italy (1977), and Order of Military Valor (First Class), Arab Republic of Egypt (1956). He has also received numerous academic and civic awards, including the Special

Award of the Council of Europe (1990); the Defender of Democracy Award, Parliamentarians for Global Action (1998) The Adlai Stevenson Award of the United Nations Association (1993); and the Saint Vincent DePaul Humanitarian Award (2000).

Professor Bassiouni is the author of 27 and editor of 44 books, and the author of 217 articles on a wide range of legal issues, including international criminal law, comparative criminal law, and international human rights law. His publications have appeared in Arabic, Chinese, Farsi, French, Georgian, German, Hungarian, Italian, and Spanish. Some of these publications have been cited by the International Court of Justice, the International Criminal Tribunal for the Former Yugoslavia (ICTY), The International Criminal Tribunal for Rwanda (ICTR), this Court, several U.S. Courts of Appeals and District Courts, and several State Supreme Courts.

Professor Bassiouni has served the United Nations in a number of capacities, including as: Member and then Chairman of the Security Council's Commission to Investigate War Crimes in the Former Yugoslavia (1992-94); Commission on Human Rights' Independent Expert on The Rights to Restitution, Compensation and Rehabilitation for Victims of Grave Violations of Human Rights and Fundamental Freedoms (1998-2000); Vice-Chairman of the General Assembly's Ad Hoc Committee on the Establishment of an International Criminal Court (1995); and Chairman of the Drafting Committee of the 1998 Diplomatic Conference on the Establishment of an International Criminal Court. In 2004, he was appointed by the United Nations High Commissioner for Human Rights as the Independent Expert on the Situation of Human Rights in Afghanistan.

In 1999, Professor Bassiouni was nominated for the Nobel Peace Prize for his work in the field of international criminal justice and for his contribution to the creation of the International Criminal Court. He has received the following medals: Grand Cross of the Order of Merit (Commander), Federal Republic of Germany (2003); Legion d'Honneur (Officier), Republic of France (2003); Order of Lincoln of Illinois, United States of America (2001); Grand Cross of the Order of Merit, Republic of Austria (1990); Order of Sciences (First Class), Arab Republic of Egypt (1984); Order of Merit (Grand'Ufficiale), Republic of Italy (1977), and Order of Military Valor (First Class), Arab Republic of Egypt (1956). He has also received numerous academic and civic awards, including the Special

Award of the Council of Europe (1990); the Defender of Democracy Award, Parliamentarians for Global Action (1998) The Adlai Stevenson Award of the United Nations Association (1993); and the Saint Vincent DePaul Humanitarian Award (2000).

Professor Bassiouni is the author of 27 and editor of 44 books, and the author of 217 articles on a wide range of legal issues, including international criminal law, comparative criminal law, and international human rights law. His publications have appeared in Arabic, Chinese, Farsi, French, Georgian, German, Hungarian, Italian, and Spanish. Some of these publications have been cited by the International Court of Justice, the International Criminal Tribunal for the Former Yugoslavia (ICTY), The International Criminal Tribunal for Rwanda (ICTR), this Court, several U.S. Courts of Appeals and District Courts, and several State Supreme Courts.